

Appl. No. 10/687, 443

Amdt. Dated June 12, 2006

Reply to Office Action of February 15, 2006

REMARKS

This is a full and timely response to the Final Office Action mailed February 15, 2006. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Rejections Under 35 USC § 103

The Examiner has rejected claims 12-14 under 35 USC § 103(a) as being unpatentable over Battin in view of Yao.

Claim 12 has been amended to include deselecting a stuck PTT switch without affecting the activity of the other PTT switches and without disabling the radio transmitter. Specifically, claim 12 includes the limitation "inhibiting the signal representative of the position of the PTT switch that is in the STUCK-ON condition from being received by each radio transmitter without affecting the activity of other PTT switches available to be coupled to the one or more radio transmitters and without disabling the one or more radio transmitters."

Battin discloses a control system for limiting duration of continuous transmission of a transmitter operating with other transmitters on a single channel (Abstract). The transmitter has a timing unit which measures the continuous transmission time of the transmitter each time it is activated for transmission. The timing unit indicates the expiration of a predetermined time limit and actuates a control for blocking further emission by the transmitter. (col. 1, lines 63 – 67) Upon the expiration of the predetermined time limit, an indicating signal is provided for an operator. Upon termination of a transmission, as by the release of a push-to-talk button, the timing unit is automatically reset for permitting another continuous transmission up to the predetermined time limit. (col. 2, lines 5-15) The system disclosed in Battin does not provide any means for continuing to use the radio if the push-to-talk button remains pressed or becomes stuck in the on position. As such, a person using the system disclosed in Battin would not be able to use the radio transmitter until the PTT switch

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was repaired. Specifically, Battin does not teach or suggest deselecting a stuck PTT switch without disabling the radio transmitter.

Yao teaches an apparatus to prevent system deadlock in a dispatch system by monitoring link activity (Abstract). When a remote unit user presses the push-to-talk button, a communications manager may grant the remote unit system talker privileges so that his voice signal is broadcast to the other remote units which are members of the dispatch system. When the remote unit user releases the push-to-talk button, the communications manager denies the remote unit system talker privileges thus freeing the system for other remote units to have the system for talker privileges. (col. 2, lines 50-58). If the remote unit's push-to-talk button becomes stuck down, the remote unit retains system talker privileges thus preventing other remote units from getting a grant of system talker privileges. The present invention monitors the voice activity of the signal received from the remote unit at the base station.

If the voice activity falls below a certain level, it is assumed that the remote unit is no longer in need of system talker privileges and the base station generates a surrogate indication that the push-to-talk button has been released which is sent to the communications manager. In this way the communications manager is free to grant system talker privileges to another remote unit. (col. 2, line 58 – col. 3, line 3)

Like Battin, Yao does not provide any means for the remote unit user to use the radio transmitter after the push-to-talk button becomes stuck and the voice activity drops below the predefined level. As such, the user has is not able to use the radio transmitter once the push-to-talk button has become stuck.

Yao thus teaches monitoring voice activity of a signal received from a remote unit and generating a surrogate signal that the push-to-talk button has been released when the voice activity falls below a certain level to allow other users to have system talker privileges. Specifically, Yao does not teach or suggest deselecting a stuck PTT switch without disabling the radio transmitter.

Therefore, claim 12 is patentable over Battin in view of Yao because claim 12 includes a limitation that is not disclosed in Battin and Yao. Claims 13 and 14 are

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dependent on claim 12 and should be allowable for at least the same reasons as claim 12 stated above.

Applicant, accordingly, respectively requests withdrawal of the rejections of claims 12-14 under 35 U.S.C. § 103(a) as being unpatentable over Battin in view of Yao.

The Examiner rejected claims 1, 3, 4, 12, 13, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in view of Yao.

Claims 1, 12, and 15 have been amended to include deselecting a stuck PTT switch without affecting the activity of the other PTT switches and without disabling the radio transmitter. Specifically, claim 1 includes the limitation "to deselect the stuck PTT switch without affecting the activity of other PTT switches available to be coupled to the plurality of radios such that the one or more radios is operable via the other PTT switches." Claim 12 includes the limitation "inhibiting the signal representative of the position of the PTT switch that is in the STUCK-ON condition from being from received by each radio transmitter without affecting the activity of other PTT switches available to be coupled to the one or more radio transmitters and without disabling the one or more radio transmitters." Claim 15 includes the limitation "to deselect the stuck PTT switch without affecting the activity of the other PTT switches and without disabling one or more radios available to be coupled to the plurality of PTT switches."

Rutty discloses a stuck microphone reliever intended for retrofitting to an aircraft voice communication radio. The radio also includes ground connection-activated push-to-talk circuitry. (col. 4, lines 46-51) Upon actuation of the push-to-talk circuitry, voltage from a timing capacitor is effectively applied between a control gate terminal and a main terminal to cause the control conduction element of the stuck microphone reliever to conduct until the timing capacitor is discharged to a point where the voltage supplied to the control gate terminal is no longer an excess of the threshold voltage. (col. 6, lines 66-Column 7, and line 6) A step off device and a stuck microphone reliever are combined in a single device. The step off device portion senses when a selected radio frequency is in use, and when in use, prevents transmission even when the microphone switch circuit is operated. The stuck microphone reliever includes a transmitter-disabling means

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connected to the microphone switch circuit for limiting any transmission to a predetermined duration even though the microphone switch circuit is activated for a longer duration. (Abstract) In the event that a "stuck microphone" condition is caused by undesired activation of the push-to-talk switch circuit, transmission is limited to the predetermined duration, and thereafter prevented.

Rutty thus also fails to provide a user means to use the radio if the push-to-switch becomes stuck, as once the predetermined amount of time passes further transmission is prevented so long as the push-to-talk switch remains stuck. Rutty makes no mention of multiple PTT switches and the ability to selectively disable only one of the switches. Specifically, Rutty does not teach or suggest deselecting a stuck PTT switch without disabling the radio transmitter.

As discussed above, Yao also fails to teach or suggest deselecting a stuck PTT switch without disabling the radio transmitter.

Therefore, claims 1, 12, and 15 are patentable over Rutty in view of Yao because claims 1, 12, and 15 include limitations that are not taught or suggested in Rutty and Yao. Claims 3, 4, and 13 are dependent on either claim 1 or claim 12 and should be allowable for at least the same reasons as claims 1 and 12 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejections of claims 1, 3, 4, 12, 13, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in view of Yao.

The Examiner has rejected claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in combination with Yao and further in view of Clark.

Claim 2 is dependent on claim 1 and should be allowable for at least the same reasons as claim 1 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejection of claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in combination with Yao and further in view of Clark.

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The Examiner has rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Rutty and Yao and further in view of Scheuer.

Claim 5 is dependent on claim 1 and should be allowable for at least the same reasons as claim 1 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejection of Claim 5 under 35 U.S.C. § section 103(a) as being unpatentable over Rutty and Yao and further in view of Scheuer.

The Examiner has rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Rutty and Yao and further in view of Battin.

Claim 6 is dependent on claim 1 and should be allowable for at least the same reasons as claim 1 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejection of claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Rutty and Yao and further in view of Battin.

The Examiner has rejected claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in view Scheuer and Yao.

Claim 7 includes deselecting a stuck PTT switch without disabling the radio transmitter. Specifically, claim 7 includes the limitation "place the selected radio transmitter in STANDBY without affecting the activity of other PTT switches available to be coupled to the selected radio transmitter such that the selected radio transmitter is operable via the other PTT switches."

As previously mentioned, Rutty and Yao do not teach or suggest deselecting a stuck PTT switch without disabling the radio transmitter.

Scheuer discloses a device that allows a pilot to switch between communication and navigation inputs without disrupting the pilot's current task (Abstract). The device includes an audio selector panel with a remote switch that allows the pilot to switch between communication transceivers, or other communication/navigation devices, without removing his or her hands from a flight control mechanism. In one embodiment,

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a momentary switch is attached to the yoke in a position where the pilot can reach the switch without removing his or her hands from the yoke. The remote swap switch is connected to the audio selector panel and causes the audio selector panel to switch between two communication transceivers. Scheuer thus discloses a device for switching between communication devices without a pilot having to remove his or her hands from a navigation control. Scheuer makes no mention of disabling a stuck PTT switch. Specifically, Scheuer does not teach or suggest deselecting a stuck PTT switch without disabling the radio transmitter.

Therefore, claim 7 is patentable over Rutty in view of Scheuer and Yao because claim 7 includes a limitation that is not taught or suggested in Rutty, Scheuer, and Yao.

Applicant, accordingly, respectfully requests withdrawal of the rejection of claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in view Scheuer and Yao.

The Examiner has rejected claims 8-10 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in combination with Scheuer and Yao and further in view of Clark.

Claims 8-10 are dependent on claim 7 and should be allowable for at least the same reasons as claim 7 stated above.

Applicant, accordingly, respectfully requests withdrawal of rejections of claims 8-10 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in combination with Scheuer and Yao and further in view of Clark.

The Examiner has rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in combination with Scheuer and Yao and further in view of Battin.

Claim 11 is dependent on claim 7 and should be allowable for at least the same reasons as claim 7 stated above.

Applicant, accordingly, respectfully requests withdrawal of the rejection of claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Rutty in combination with Scheuer and Yao and further in view of Battin.

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Conclusion

Based on the above, independent claims 1, 7, 12, and 15 are patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claims and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

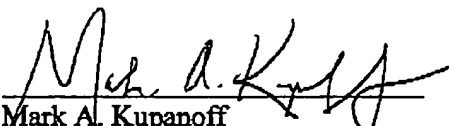
If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER &amp; LORENZ

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